Amendments to the Claims:

1. (Previously Presented) 9-nitrocamptothecin in crystal form D wherein the crystal form D is characterizable as having, by differential scanning calorimetry, an endotherm at between 273.9 to 275.9 °C, and an exotherm at between 279.3 and 281.3 °C, and an X-ray powder diffraction pattern with diffraction lines at °2θ values 4.8, 14.2, 19.1 and 26.8 for Cu $K\alpha$ radiation of wavelength of 1.5406 Angstrom.

2. (Previously Presented) The 9-nitrocamptothecin crystal form according to claim 1, wherein the crystal form is further characterizable as having, by differential scanning calorimetry, an endotherm at between 274.4 to 275.3 °C, and an exotherm at between 279.8 and 280.8 °C.

3. (Previously Presented) The 9-nitrocamptothecin crystal form according to claim 1, wherein the crystal form is further characterizable as having, by differential scanning calorimetry, an endotherm at between 274.7 to 275.1 °C, and an exotherm at between 280.1 and 280.5 °C.

4. (Previously Presented) The 9-nitrocamptothecin crystal form according to claim 1, wherein the crystal form is further characterizable as having, by differential scanning calorimetry, an endotherm at between 274.8 to 275.0 °C, and an exotherm at between 280.2 and 280.4 °C.

5. (Previously Presented) The 9-nitrocamptothecin crystal form according to claim 1, wherein the crystal form is further characterizable as having, by differential scanning calorimetry, an endotherm at between 273.9 to 275.9 °C, and an exotherm at between 279.3 and 281.3 °C.

6. (Canceled)

7. (Previously Presented) The 9-nitrocamptothecin crystal form according to claim 1, wherein the crystal form is crystallized from acetonitrile.

8-10. (Canceled)

11. (Currently Amended) A pharmaceutical composition in a solid dosage form comprising:

a powdered pharmaceutical carrier; and

9-nitrocamptothecin in crystal form D wherein the crystal form D is characterizable as having, by differential scanning calorimetry, an endotherm at between 273.9 to 275.9 °C, and an exotherm at between 279.3 and 281.3 °C, and an X-ray powder diffraction pattern with diffraction lines at °2θ values 4.8, 14.2, 19.1 and 26.8 for Cu $K\alpha$ radiation of wavelength of 1.5406 Angstrom.

12. (Previously Presented) The pharmaceutical formulation according to claim 11, wherein the crystal form of 9-nitrocamptothecin is further characterizable as having, by differential scanning calorimetry, an endotherm at between 274.4 to 275.3 °C, and an exotherm at between 279.8 and 280.8 °C.

13. (Previously Presented) The pharmaceutical formulation according to claim 11, wherein the crystal form of 9-nitrocamptothecin is further characterizable as having, by differential scanning calorimetry, an endotherm at between 274.7 to 275.1 °C, and an exotherm at between 280.1 and 280.5 °C.

14. (Previously Presented) The pharmaceutical formulation according to claim 11, wherein the crystal form of 9-nitrocamptothecin is further characterizable as having, by differential scanning calorimetry, an endotherm at between 274.8 to 275.0 °C, and an exotherm at between 280.2 and 280.4 °C.

15-19. (Canceled)

20. (Previously Presented) A method of preparing 9-nitrocamptothecin in crystal form D as in claim 1, the method comprising:

crystallizing 9-nitrocamptothecin from acetonitrile.

21. (Previously Presented) The method according to claim 20, wherein the crystal form of 9-nitrocamptothecin is characterizable as having, differential scanning calorimetry, an endotherm at between 273.9 to 275.9 °C, and an exotherm at between 279.3 and 281.3 °C.

22. (Canceled)